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PATENT #3
Docket No. 350292000500 w/attach

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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Lisa R.F. Barber
Lisa R.F. Barber

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

MATSUSHIMA et al

Serial No.: Unassigned

Filing Date: 22 December 1998

For: THERAPEUTIC AGENT FOR ACUTE
LUNG INJURY RESULTING FROM
INDIRECT CAUSES COMPRISING
ANTI-IL-8 ANTIBODY AS ACTIVE
INGREDIENT

Examiner: Unassigned

Group Art Unit: Unassigned

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted:

- Within three months of the application filing date or before receipt of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- After receipt of a first Office Action on the merits but before a final Office Action or Notice of Allowance.
 - A fee is required. A check in the amount of * is enclosed.
 - A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due.
- After receipt of a final Office Action or Notice of Allowance, but before payment of the issue fee. Accordingly, a Petition requesting consideration of the Information Disclosure Statement, an authorization to charge our deposit account, and a Certification under 37 C.F.R. § 1.97(e) are provided herein.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

This Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 350292000500. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: December 22, 1998

Respectfully submitted,

By: Kate H. Murashige
Kate H. Murashige
Registration No. 29,959

Morrison & Foerster LLP
2000 Pennsylvania Avenue, N.W.
Washington, D.C. 20006-1888
Telephone: (202) 887-1533
Facsimile: (202) 887-0763